



# Development Guidebook:

Commercial and Residential Land Development

*City of Kannapolis*

*Planning Department*

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**401 Laureate Way**

**Kannapolis, North Carolina 28081**

**Phone: 704-920-4350**

[www.kannapolisnc.gov/Government-Departments/Planning](http://www.kannapolisnc.gov/Government-Departments/Planning)

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## Chapter 1: Introduction and Contact Information

Welcome to the City of Kannapolis, North Carolina! Kannapolis is located approximately 30 miles northeast of Charlotte, along the rapidly growing Interstate 85 corridor. The City is known as a friendly, innovative and fast-growing community that is committed to maintaining a healthy and high quality of life for its residents.

This guidebook is intended to provide basic information about the development plan review process for the City of Kannapolis and is for reference purposes only. It is not intended to serve as a substitute for adherence to any applicable development code or regulation. The goal of this document is to clarify the City of Kannapolis development review process by outlining the procedure for the preparation, submittal, and review of development applications. We encourage you to contact us early in your development process, especially prior to purchasing any property, so that we may assist you in answering questions related to zoning and land use.

The Planning Department can be contacted using the information below:

<b>Richard Smith</b> Planning Director <a href="mailto:rsmith@kannapolisnc.gov">rsmith@kannapolisnc.gov</a> 704-920-4350	<b>Boyd Stanley, AICP</b> Assistant Planning Director <a href="mailto:bstanley@kannapolisnc.gov">bstanley@kannapolisnc.gov</a> 704-920-4362
<b>Ryan Lipp</b> Senior Planner <a href="mailto:rlipp@kannapolisnc.gov">rlipp@kannapolisnc.gov</a> 704-920-4355	<b>Kathryn Stapleton</b> Planning Technician <a href="mailto:kstapleton@kannapolisnc.gov">kstapleton@kannapolisnc.gov</a> 704-920-5358
<b>Alana Sweatt</b> GIS Specialist <a href="mailto:asweatt@kannapolisnc.gov">asweatt@kannapolisnc.gov</a> 704-920-4361	<b>Tony Cline, CZO</b> Senior Code Enforcement Officer <a href="mailto:twcline@kannapolisnc.gov">twcline@kannapolisnc.gov</a> 704-920-4356
<b>Barry Hower, CZO</b> Code Enforcement Officer <a href="mailto:bhower@kannapolisnc.gov">bhower@kannapolisnc.gov</a> 704-920-4357	<b>Pam Scaggs</b> Administrative Assistant <a href="mailto:pscaggs@kannapolisnc.gov">pscaggs@kannapolisnc.gov</a> 704-920-4359

## Minor Zoning Permit: Single Family Permits

The primary purpose of minor review is to assure minor projects such as detached single-family dwellings, interior commercial upfits and signs are designed, reviewed and processed in accordance with all applicable city regulations. Applicants will be required to submit application, plot plans and other required documentation along with payment prior to zoning clearance permit issuance.

## Application Review

All development applications are reviewed by the Planning, Fire and Engineering Departments. Other departments may review an application on an as needed basis. The general process is outlined below:

- ✓ Staff review of applications
  - ✓ Completed application with plot plan attached, depicting proposed and existing buildings, including dimensions and measurements of all setbacks and easements

- ✓ Commercial Upfits may require further documentation depending on the property use
- ✓ Sign applications require colored renderings with all measurements including store front footage
- ✓ Any errors or deviations from the UDO or any other City ordinances/policies are generated as a comment. Any changes can be rectified via email or in person.
- ✓ Payment is collected for all associated fees before zoning clearance permit is issued.

## Addressing

All new addresses will be assigned when approved subdivision plats are signed. Addresses must be assigned before permit issuance.

For projects needing 1-5 addresses, a lead-time of 5 working days is required.

For projects needing more than 5 addresses, a lead-time of 10 days is required.

### Utility Billing Setup and New Tap/Connection Process

#### Verification

- ❖ All sites must be verified for access to existing water and sewer lines
- ❖ Contact Planning at 704.920.4350 to request a verification
  - Property address or PIN number is required
  - Provide a contact name and phone number and/or email
- ❖ Engineering will provide information to contact within 3 working business days

#### Permit and Payment

- ❖ Planning is located on the 3<sup>rd</sup> floor at City Hall, 401 Laureate Way, Kannapolis, NC
- ❖ Zoning Permit, Driveway Permit and Water/Sewer fees are all taken at permitting
- ❖ A zoning permit must be issued before utility applications or fees can be submitted for application

#### 60 days from Application and Payment

##### Utility Billing Application

- ❖ A completed application and a copy of driver's license (if required) is submitted to Planning
- ❖ Planning sends payment and application to Customer Service
- ❖ Blue/Green flags will be given for marking

#### Customer Service Billing Process

- ❖ Customer Service enters service request and enters billing information

#### Water Resources

- ❖ Service request is scheduled and distributed to work crews
- ❖ A courtesy call by Water Resources will be made approximately 2 weeks before installation
  - At this time, the flags must be placed marking the preferred tap location
  - The tap installation will be made regardless of grade
- ❖ For all tap installation questions or concerns contact Curtis Plyler, Crew Supervisor for Water Resources, at 704.920.4245 or [cplyler@kannapolisnc.gov](mailto:cplyler@kannapolisnc.gov)

### Setting Meter

- ❖ Customer is responsible for the plumbing line from building to the meter and calls for final inspection
- ❖ County sends passed plumbing final inspections to City and a request to set meter is entered
- ❖ For taps set by developer, after passed plumbing final inspections are received, contact Customer Service to setup a service request for setting meter
- ❖ The meter installation crew will assess any damage to meter box and clean out before setting the meter
  - The top of the yoke bar shall be no lower than 14 inches from the lid
  - Any damage to the meter box or cleanout must be repaired before meter can be set

## Chapter 2: Development Plan Review Process

The primary purpose of development plan review is to assure that development projects are designed, reviewed, and processed in accordance with all applicable city, state, and federal regulations.

### Pre-Application Meeting

Most development projects require a pre-application meeting with the City. This meeting is very important as it can save you time and money by reducing the amount of review comments generated. The meeting is intended to be a comprehensive discussion about the project as well as the submittal and application procedure for the project. Staff members from other City Departments, such as Fire, Engineering, and Police are invited to these meetings as well.

*To schedule a Pre-Application Meeting please contact the Planning Department by sending an email to [planreviewappointment@kannapolisnc.gov](mailto:planreviewappointment@kannapolisnc.gov).*

*These meetings take place every Wednesday and are scheduled in one-hour blocks as follows: 9-10am, 10:30-11:30am, 2-3pm and 3:30-4:30pm. Please allow up to a week to schedule a meeting.*

### Toolkit: Pre-Application Meeting Checklist

It is required to submit to staff a sketch plan at least one (1) week prior to the pre-application meeting. The Sketch Plan should include the following:

1. Proposed use and or zoning for the property.
2. Site layout, building placement, drive isles, parking, landscaping, buffers, etc.
3. Access to the site (via City or NCDOT road), sidewalk, curb and gutter, and utility locations, stormwater facilities.
4. Project phasing, if any.
5. Existing and proposed fire hydrants, FDCs, and Fire truck circulation.
6. Overlay District requirements or other design standard regulations.

### Development Application

Prior to review of a new development project in the City, a *Universal Development Application* signed by the owner or an approved agent, along with the applicable fee and supporting documents must be submitted to the Planning Department. The application(s) and all required documents must be submitted digitally through the Accela Citizen Access (ACA) portal at:

<https://accela1.cabarruscounty.us/CitizenAccess/>.

One (1) hard copy of all the materials submitted through ACA must also be delivered to the City of Kannapolis Planning Department at 401 Laureate Way, 3<sup>rd</sup> Floor.

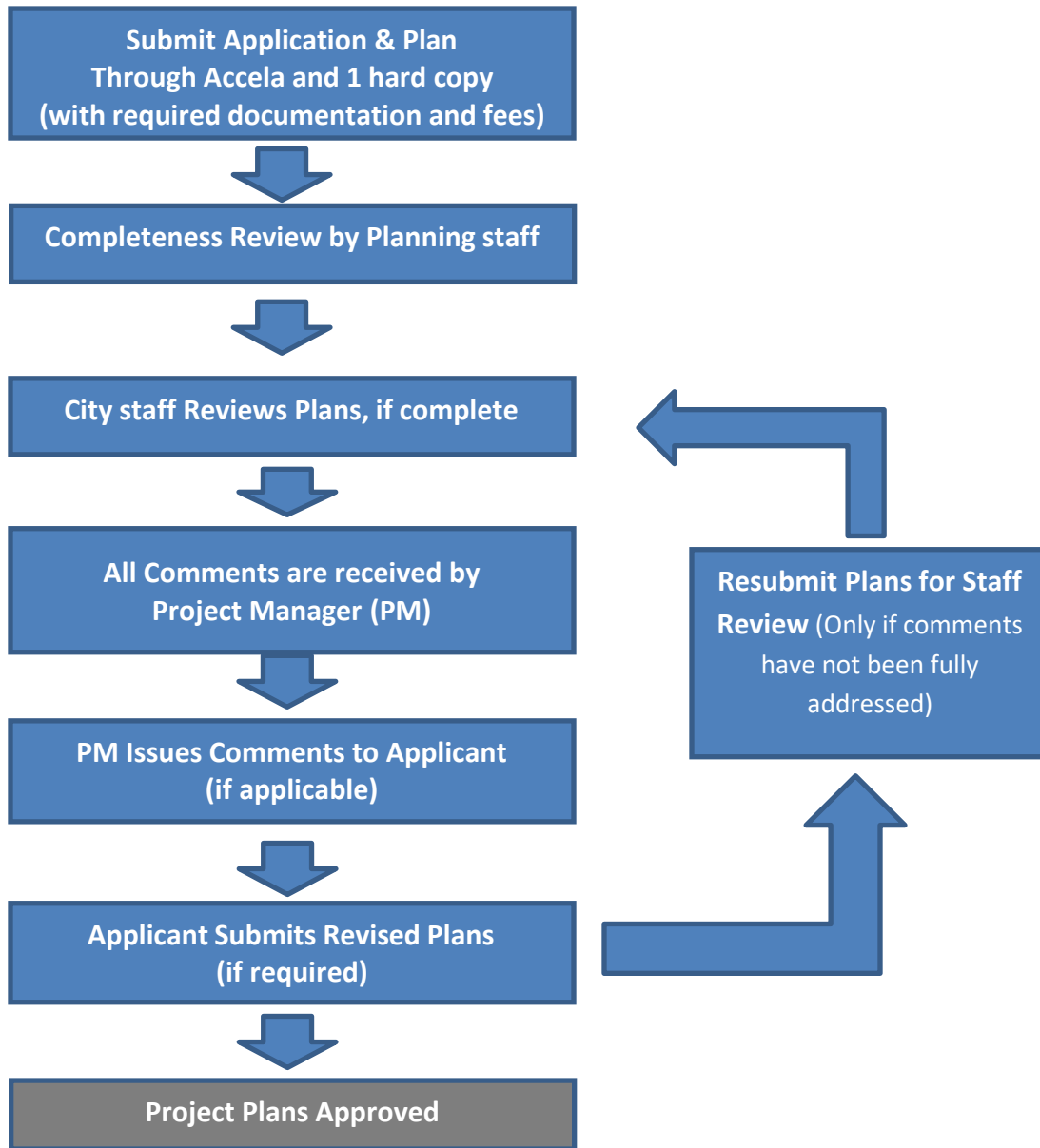
## Application Submittal and Acceptance/Completeness Review

Planning staff will conduct a Completeness Review on all submitted applications to determine if required documents have been submitted. If any required documents of a submittal are missing, the application is rejected and the applicant will be notified of the rejected application along with a list of item(s) that are missing. If the submitted application is complete, the application and all materials will be distributed to the appropriate City staff for review.

## Application Review

All development applications are reviewed by the Planning, Fire, and Engineering Departments. Other departments may review an application on an as needed basis. The general process for development application review is outlined below.

- ✓ Staff review of applications
- ✓ Any errors or deviations from the UDO or any other City ordinances/policies are generated as a comment. Other comments such as site design or layout may also be included.
- ✓ All City staff comments shall be addressed by the applicant who will be required to resubmit In Accela. The resubmittal must include:
  - Corrected plans (all pages included)
  - Digital version of the corrected plan set in PDF format, properly scaled (no scanned copies of the plans)
  - Correspondence indicating how the comments were addressed and any additional changes/revisions made to the plans other than those required by the initial plan review comment letter
- ✓ The review process continues until all comments are satisfied and the plans comply with all City ordinances and policies.

**Development Application Process**



## Toolkit: Development Application Review Timeline

City Staff provides review comments within the timelines below:

Project Type	Stage	Designated Agency (Decision Maker)	Time Limit for Processing (First Review)
Minor Subdivision	Sketch Plat	Administrator	15 business days
Minor Subdivision	Final Plat	Administrator	15 business days
Major Subdivision	Sketch Plat	Administrator	15 business days
Major Subdivision	Preliminary Plat	Reviewing Departments	30 business days
Major Subdivision	Final Plat	Administrator	15 business days
Construction Plans (subdivisions & multifamily)		Engineering Director	30 business days
Construction Plans (commercial)		Engineering Director	21 business days
Exempt Plat		Administrator	15 business days
Commercial Upfits		Engineering Director	10 business days

Please note, if the project requires more than 2 re-reviews by Staff, the applicant and design team will be required to schedule a meeting with Staff to address comments. Re-review time limit for processing will depend on Staff comments being adequately addressed.

## Chapter 3: Zoning

Zoning for the City of Kannapolis was established in 1988. Zoning assigns every parcel of land within the city limits a zoning district designation and each zoning district has a list of permitted land uses as well as dimensional and density standards, e.g., building setbacks, lot sizes, and number of dwelling units/acre. Some areas of the city are located in overlay districts which include additional standards. A list of zoning districts, their allowed uses, and regulations can be found on Table 4.6-1 located in [Article 4 of the UDO](#).

### How to Determine the Zoning of a Property

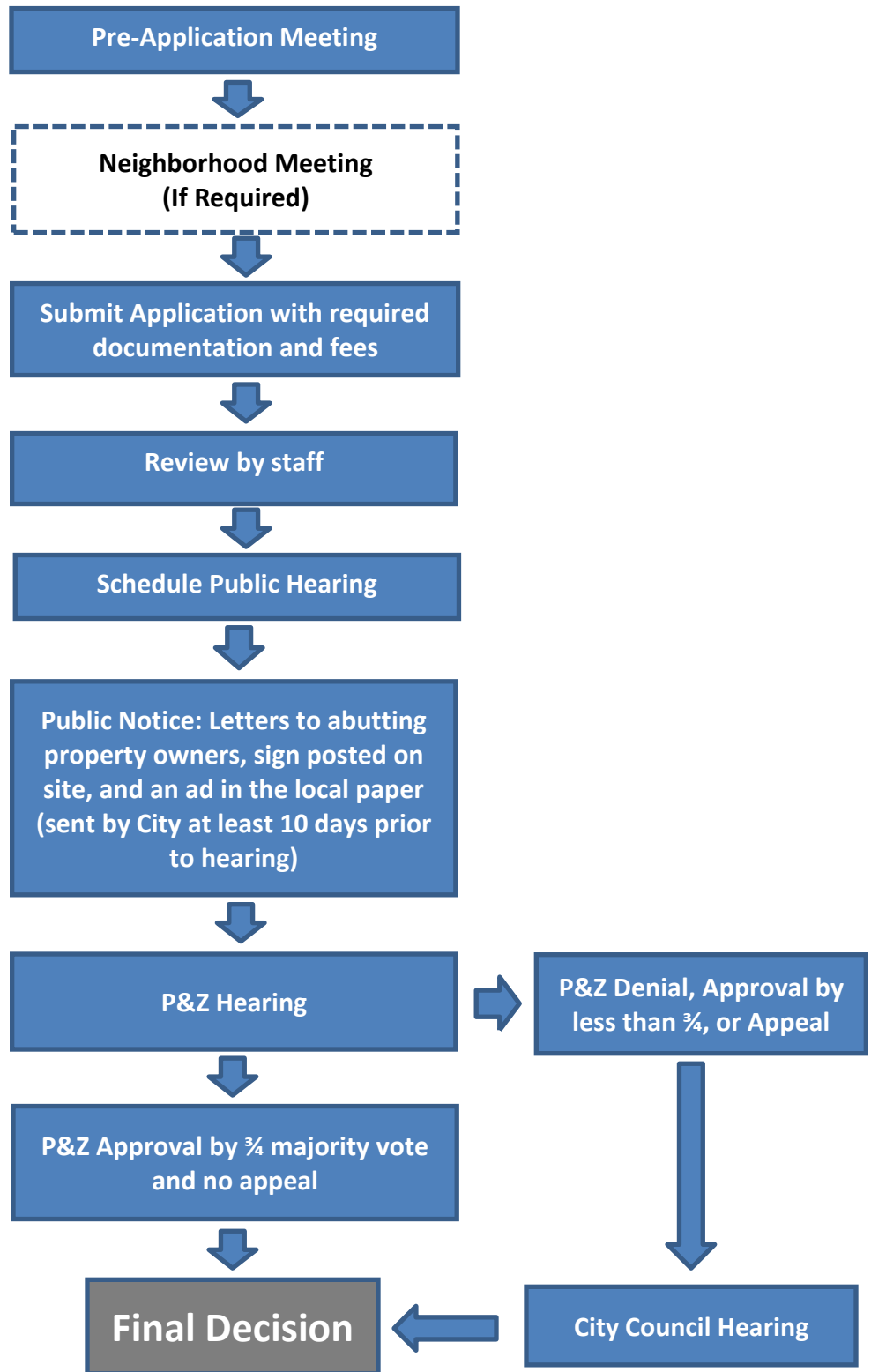
- ✓ Step 1: Determine the zoning district for the property in question.
  - Locate the property by address or location on the Official Zoning Map located at: <http://www.kannapolisnc.gov/Government-Departments/Planning>
- ✓ Step 2: Determine the allowed uses within a specific zoning district.
  - Table 4.6-1 contains a table of land uses that are permitted (P); permitted with supplemental regulations (P/S); require a special use permit (S); or are prohibited (-).
  - Definitions for land uses can be found in [Appendix A of the UDO](#).

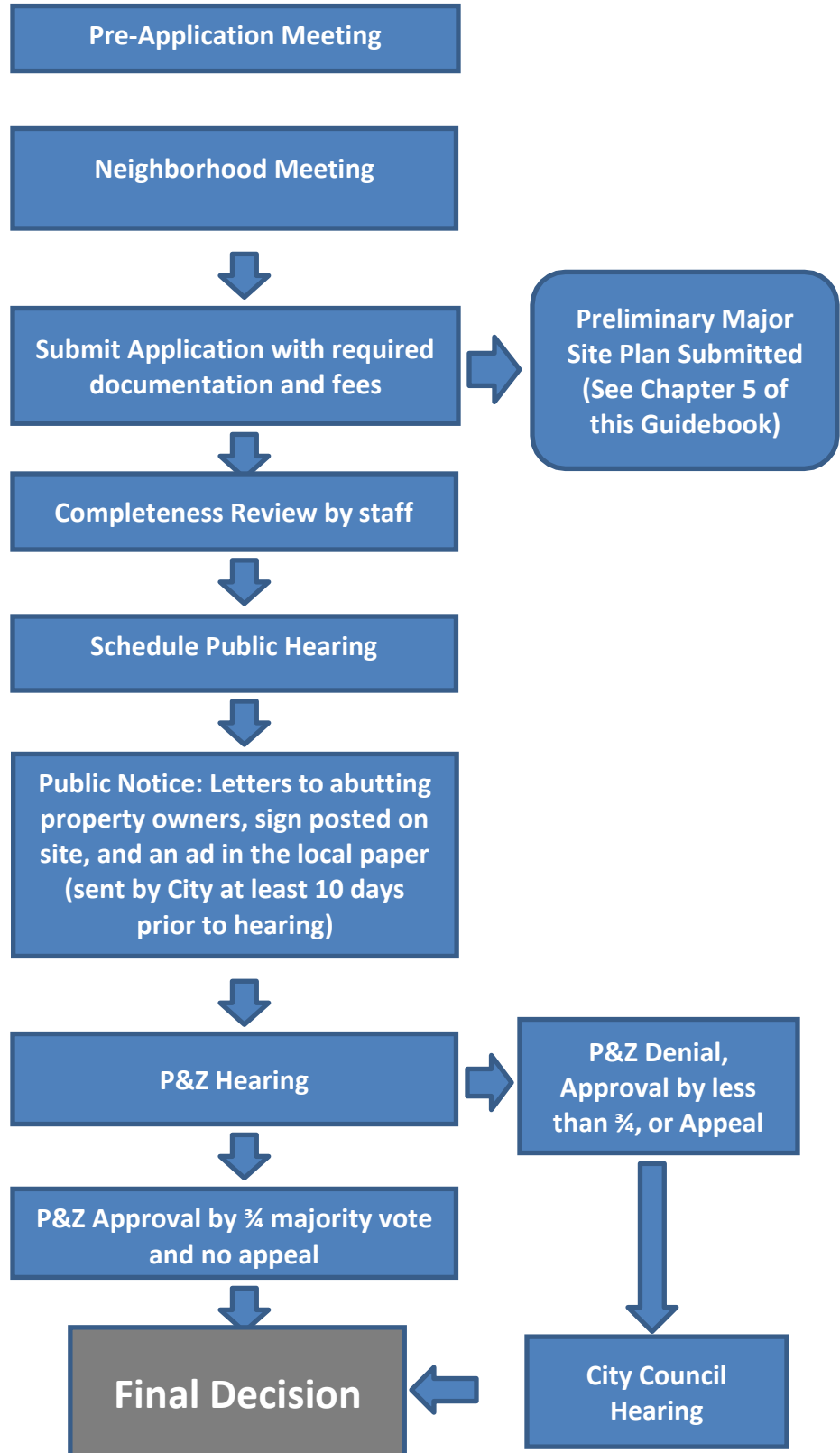
### Request for Rezoning

Should a proposed use be prohibited on a property under the current zoning district, then a rezoning of the property may be requested. There are two types of rezonings that may be requested:

- ✓ Zoning Map Amendment (UDO Section 3.3)
  - Allows for any permitted uses within the requested zoning district
  - Can be more difficult to receive due to lack of certainty regarding the type of use which can cause concern for neighbors as well as the Planning & Zoning Commission, who approve rezoning requests
- ✓ Conditional Zoning Amendment (UDO Section 3.4)
  - Conditional zoning is intended to add flexibility to the development plan review process, while at the same time creating additional controls to establish specific development standards for a particular property
  - A site plan and specific conditions control the uses on a site
  - Provides certainty for the neighbors and the City

Rezoning applications require approval by the Planning and Zoning Commission at a public hearing and sometimes the City Council (in cases where the Planning and Zoning Commission denies the request, approves the request with less than a 3/4<sup>th</sup> majority vote or where there is an appeal of the Commission's decision). Once Staff deems the application is complete and meets all the applicable requirements of the UDO, a request for rezoning will be placed on the next available agenda. The review process for both a Zoning Map Amendment and a Conditional Zoning Amendment can be found on the next two pages.

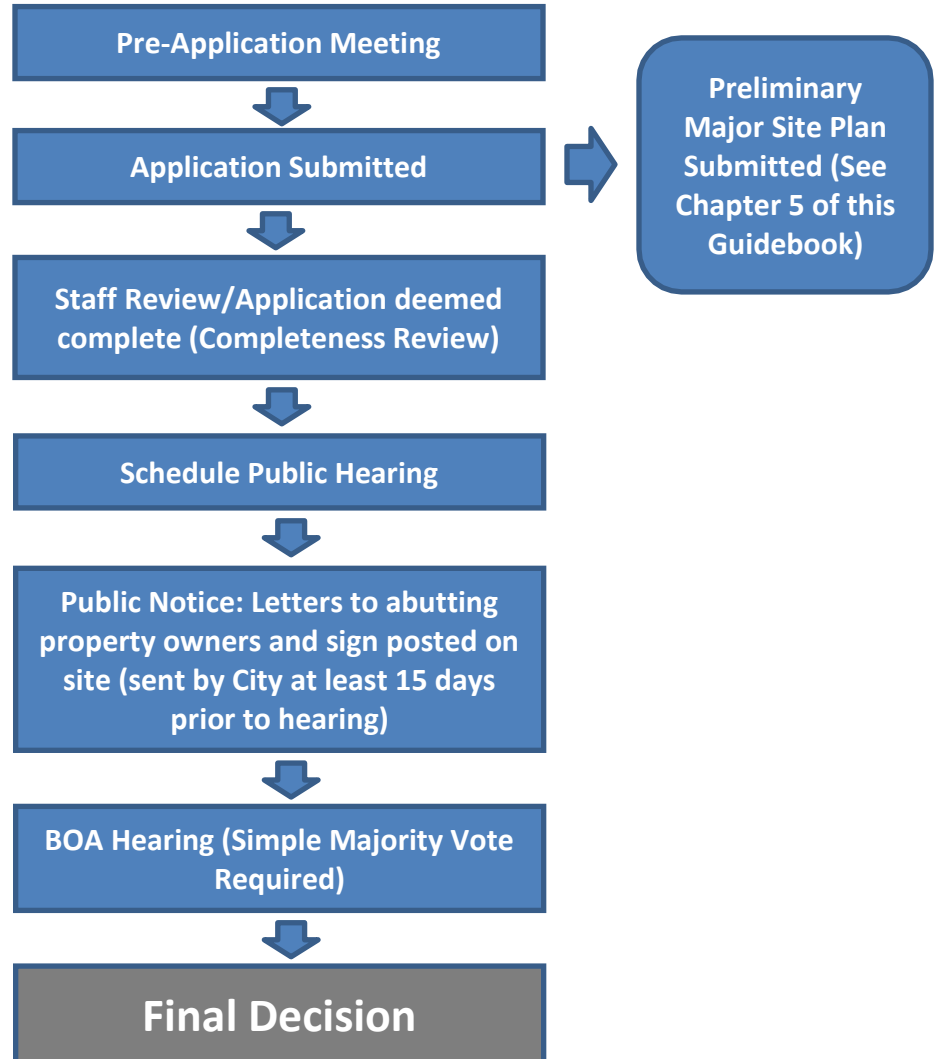
**ZONING MAP AMENDMENT PROCESS**

**CONDITIONAL ZONING AMENDMENT PROCESS**

### Special Use Permits (UDO Section 3.5)

Special uses are denoted with a “S” on Table 4.6-1 and require a Special Use Permit (SUP) to be permitted on a site. Special uses are typically compatible with the permitted uses in a zoning district, but require additional review of their location, design, and configuration. Uses subject to a SUP are only permitted after review and approval by the Board of Adjustment (BOA) at a public hearing. The review process for a SUP can be found below:

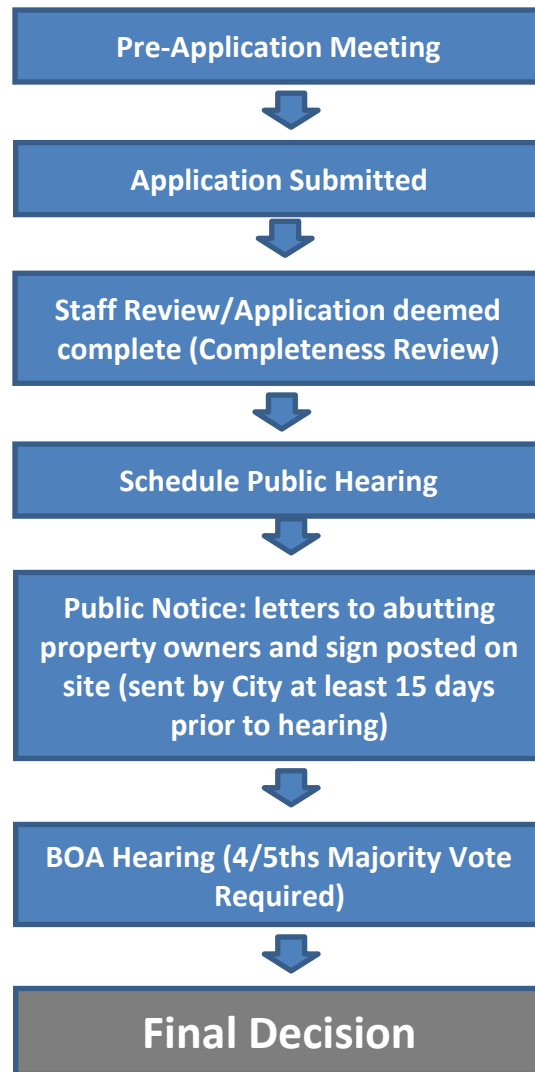
#### Special Use Permit Process



## Appeals and Variances

The BOA decides appeals of administrative interpretations and determinations of the UDO, as well as granting variances from the requirements of the UDO. The BOA cannot grant variances to permit uses not allowed within a zoning district where a property is located. Variances are not considered a right, the BOA can only grant a variance if the applicant meets the hardship criteria set forth in State law (*GS 160D-705(d)*). Approval of a variance or administrative appeal requires a 4/5ths vote of the BOA. The review process for a variance and administrative appeal is similar to that of a SUP and is outlined below:

### **Administrative Appeal and Variance Process**



## Chapter 4: Subdivision of Property (Platting)

The division of land into two or more lots for the purposes of sale or development is considered a subdivision and requires approval of a plat by the City and recordation with the County Register of Deeds in which the property is located.

### Basic Components of Plats (Appendix B.2, B.3 of the UDO and Land Development Standards Manual [LDSM])

Full application requirements for subdivision plats can be found in Appendix B.2 and B.3 of the UDO as well as the LDSM.

### Exempt Plats (UDO Section 6.1.5)

There are a few instances where a subdivision plat is not required. In these cases, an “exempt plat” is submitted to the City for review. An exempt plat is allowed in the following situations:

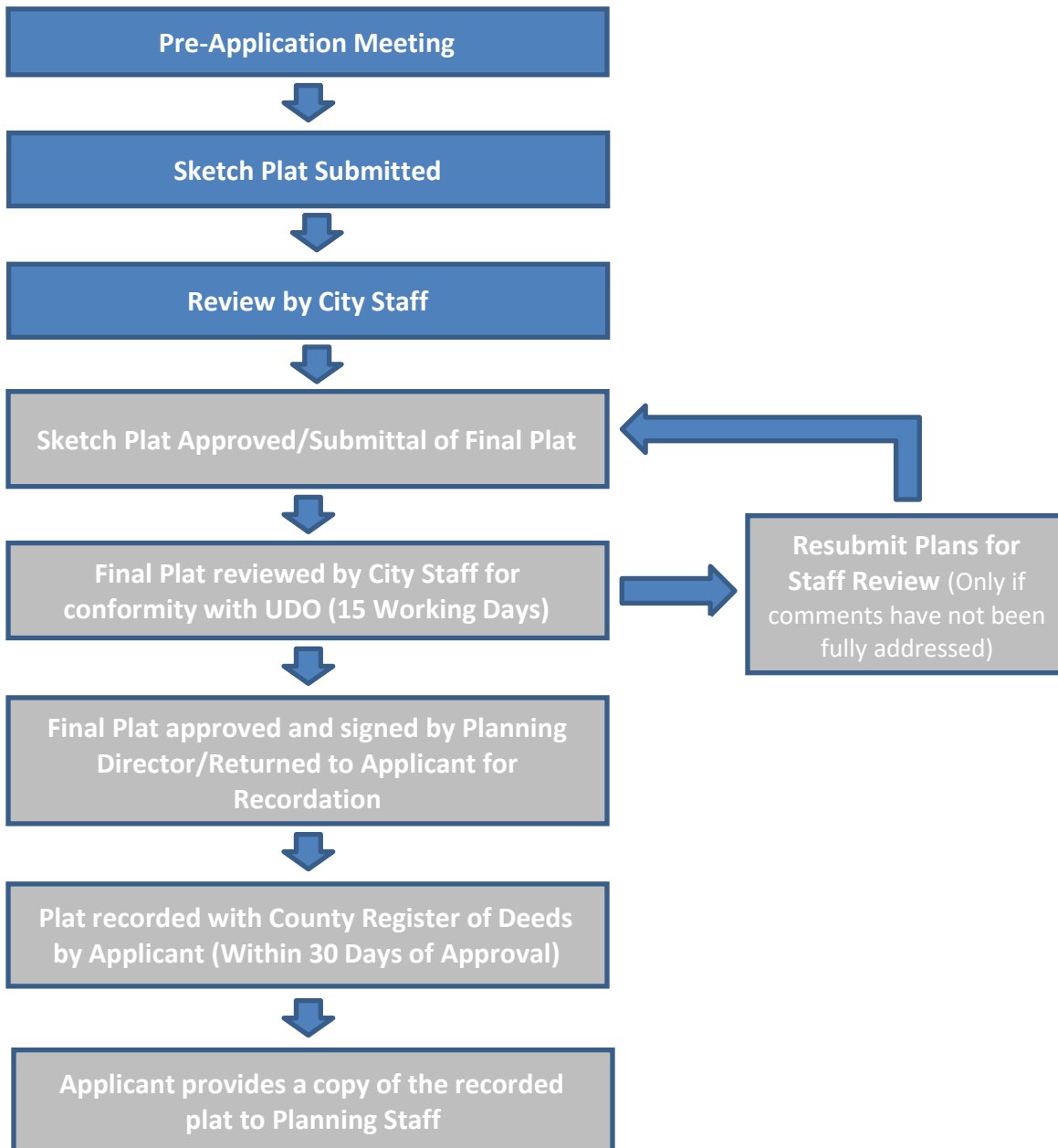
- ✓ The combination of previously subdivided and recorded lots, where the total number of lots is not increased and the resultant lots meet all other lot standards, including size, width, street frontage, etc.
- ✓ The division of land into parcels greater than 10 acres where no street right-of-way dedication is required.
- ✓ Land required for the widening of a street where a public entity purchased the land for the widening.
- ✓ The division of a tract less than two acres in single ownership, into no more than three lots, where no street right-of-way dedication is required, and the resulting lots meet all other lot standards.

### Minor Subdivision (UDO Section 6.3)

A minor subdivision is defined as a subdivision involving no new public street right-of-way dedications. Widening of an existing and platted street right-of-way is permitted under a minor subdivision.

The extension of water and sewer that falls under the ownership and maintenance of the City shall be allowed under a minor subdivision review provided that construction plans for the utility extensions are submitted and approved by the City. No minor plat that includes public utility extensions shall be approved until all improvements have been inspected and accepted by the City.

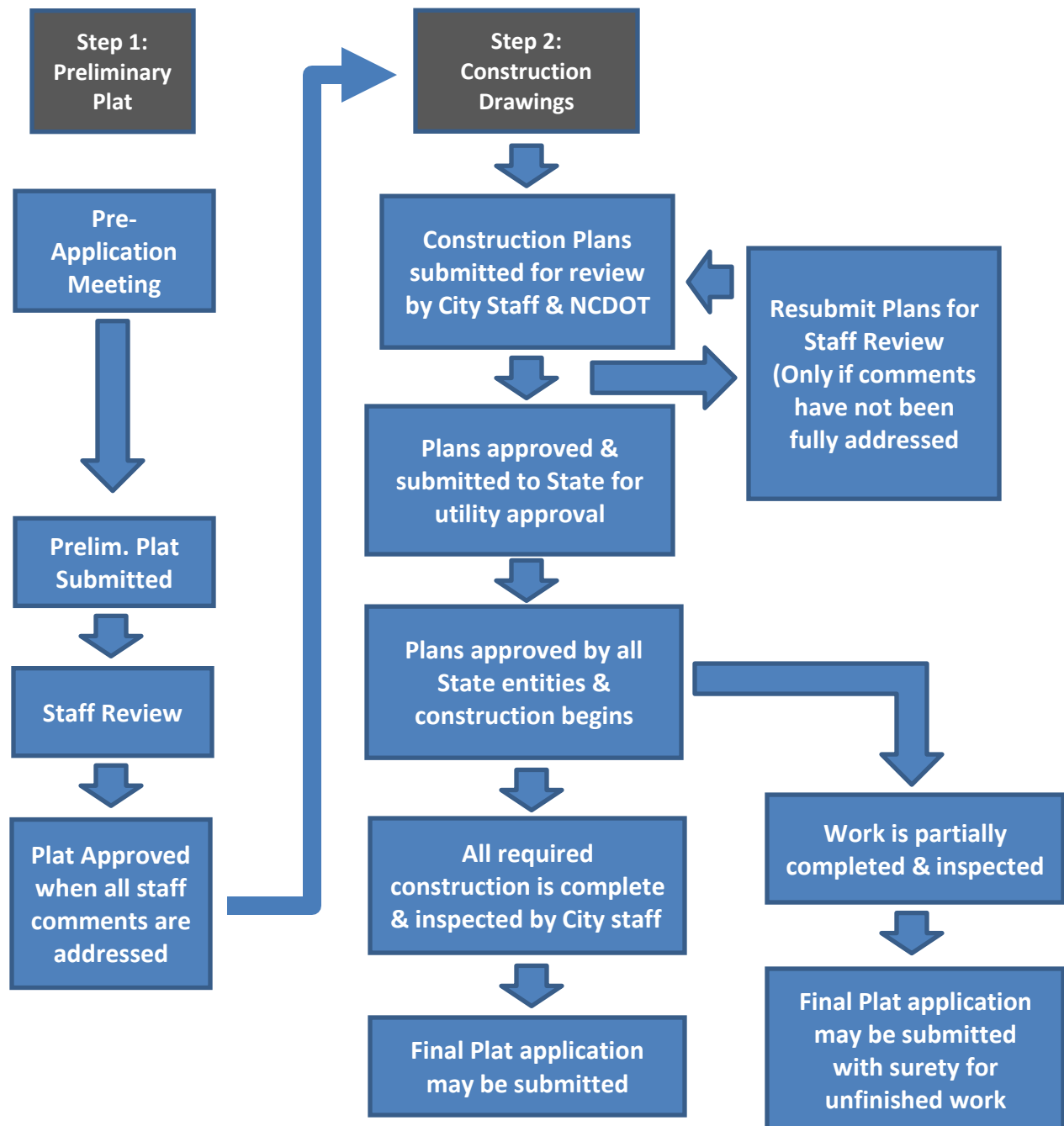
The typical progression of minor subdivision approval includes the following steps: (1) Submittal of a sketch plat; and (2) submittal of a final plat. Once the final plat is reviewed and all corrections made for conformity with the UDO, the applicant has 30 days to record the plat with the appropriate County Register of Deeds. If the plat is not recorded within 30 days, the final plat approval expires, unless extended by the Zoning Administrator (Planning Department). The full minor subdivision plat review process is outlined as follows:

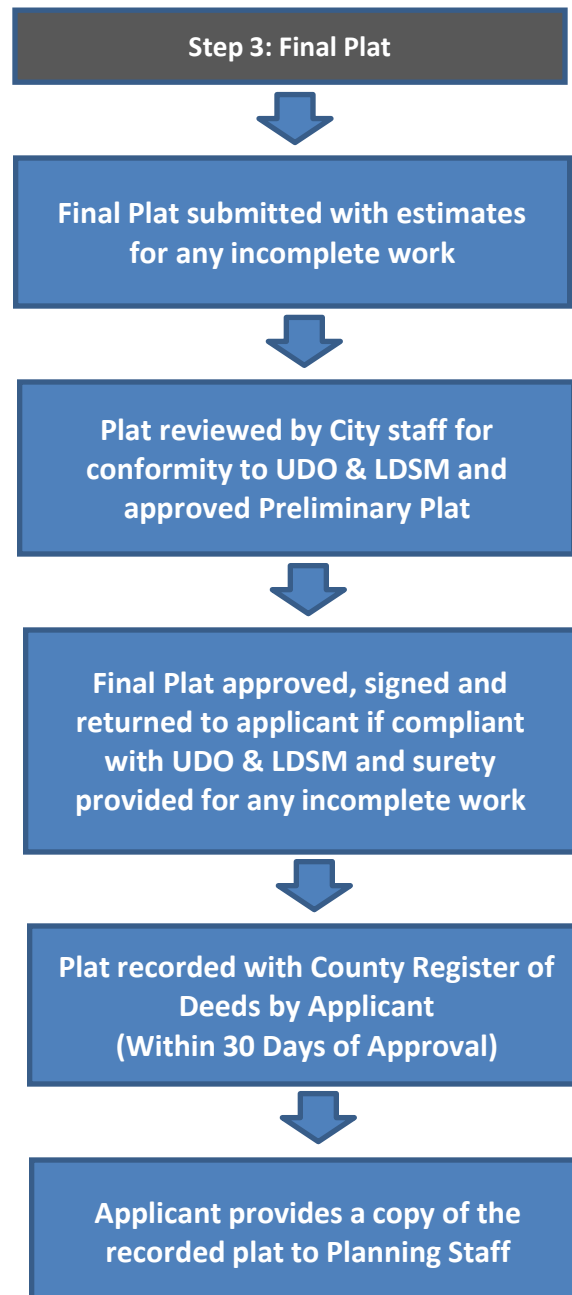
**Minor Subdivision Process**



**Major Subdivision (UDO Section 6.4)**

A major subdivision is defined as a subdivision that is not exempted by state law, or previously described as a minor subdivision. Any subdivision that will require the construction of new street right-of-way is considered a major subdivision. The progression of a major subdivision includes the following steps: (1) submittal of sketch plat; (2) submittal of a preliminary plat; (3) submittal of construction plans for all public infrastructure; (4) construction of public infrastructure and/or bonding for unfinished work; (5) submittal of final plat. Once the final plat is approved, the applicant has 30 days to record the plat with the appropriate County Register of Deeds. If the plat is not recorded within 30 days, the final plat approval expires unless extended by the Zoning Administrator (Planning Department). The full major subdivision process is outlined on the following pages:

**Major Subdivision Process (Preliminary Plat and Construction Drawings)**

**Major Subdivision Process (Final Plat)**

## Plat Recordation Requirements

Once an exempt or final plat has been approved and signed by the City, the applicant submits the plat to the County Register of Deeds for recordation. The plat must be recorded within 30 days of approval unless an extension has been granted by the City. After the plat has been recorded, the applicant shall provide a copy of the plat to the Planning Department for its records. Please refer to the contact information below for the Register of Deeds in Cabarrus and Rowan County for requirements and fees for recording a plat.

### **Cabarrus County Register of Deeds**

**65 Church Street South**

**Concord, NC 28025**

**Mon. – Fri. 8:00 a.m. – 5:00 p.m.**

**(704) 920-2112**

### **Rowan County Register of Deeds**

**402 North Main Street**

**Salisbury, NC 28144**

**Mon. – Fri. 8:00 a.m. – 5:00 p.m.**

**(704) 216-8626**

## Chapter 5: Site Plan Review

Building permits for all new construction within the City of Kannapolis, including the portion of the City located in Rowan County, are issued by the Cabarrus County Construction Standards Division. Building permits within the ETJ are issued by Rowan County. Prior to obtaining a building permit, the City reviews all construction plans to ensure that the new construction will be in compliance with all requirements of the UDO and the LDSM. The City reviews two type of site plans: minor site plans and major site plans.

### Minor Site Plan (UDO Section 3.6.5)

Minor site plans are required for any non-residential use or multi-family dwelling unit that is permitted by right in the zoning district within which the development is located. The applicant submits a Minor Site Plan application to the Planning Department which is then reviewed for conformance with the requirements of the UDO (e.g., parking, landscaping, setbacks, and any required architectural design standards). Other City departments will review the site plan for traffic circulation, utilities, and Fire Code. Once staff determines conformance to the UDO, a Zoning permit is issued. The applicant then presents the Zoning Permit to the County for issuance of a building permit. The complete Minor Site Plan review process can be is illustrated below:

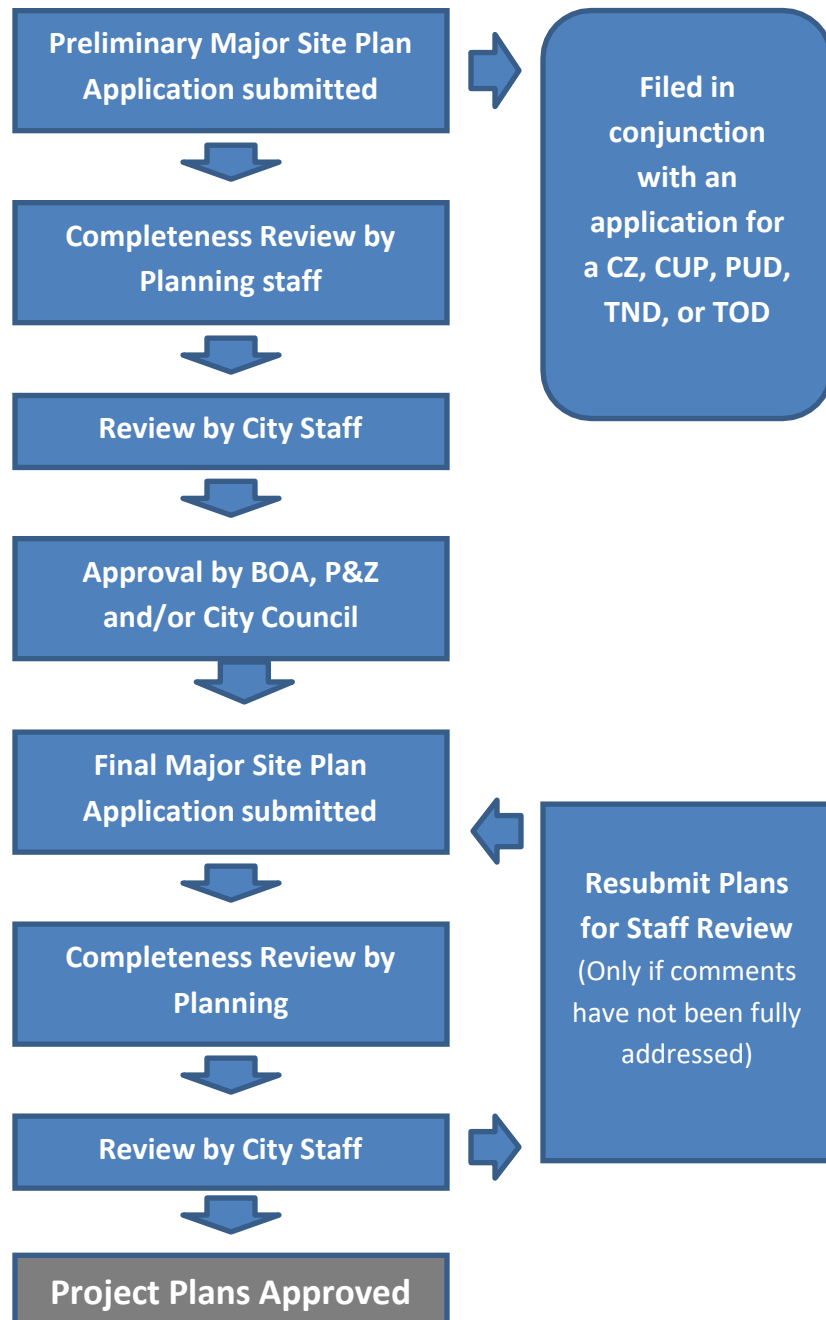
#### Minor Site Plan Process



### Major Site Plan (UDO Section 3.6.6)

Major site plans are required for a Planned Unit Development (PUD), Traditional Neighborhood Development (TND), or Transit-Oriented Development (TOD) district. Major Site Plan review is also required for a Conditional Zoning District (CZ) or a Special Use Permit (SUP). The approval process for a Major Site Plan involves two steps: 1) Submittal of a Preliminary Site Plan in conjunction with an application that requires a Major Site Plan; 2) After application approval, the applicant files a Final Site Plan for approval by the City and the issuance of a Zoning Permit. The complete Major Site Plan process is detailed below:

#### Major Site Plan Process



## Appendix A: Boards and Commissions

### Planning and Zoning Commission

The Planning and Zoning Commission serves as an advisory body to the City Council on issues related to the UDO. They are responsible for reviewing map amendments to the Zoning Map, text amendments to the UDO, and applications for Exceptions to the Subdivision Ordinance. The Commission also reviews updates and revisions to long-range plans, such as the Comprehensive Plan and the Center City Master Plan.

The Commission is a nine-member body appointed by the City Council for a term of three years. Meetings of the Planning and Zoning Commission are open to the public and held the third Tuesday of the month at 6:00 p.m. at Kannapolis City Hall, located at 401 Laureate Way.

### Board of Adjustment

The Board of Adjustment (BOA) serves as a quasi-judicial board appointed by the City Council to hear administrative appeals and requests for variances from the UDO. They also grant Special Use Permits (SUP) and issue Certificates of Nonconformity Adjustments (CONA).

- An Administrative appeal is when an applicant believes that City Staff (Zoning Administrator) has not properly interpreted the UDO.
- Variance requests are when an applicant is requesting relief from a standard of the UDO. (State law prohibits use variances and variances may only be granted if the applicant establishes compliance with the hardship criteria established in NCGS §160D-705(d)).
- SUPs are required for uses in a zoning district that are denoted on Table 4.6-1 in Article 4 of the UDO with the letter “S”. These uses require review by the BOA to ensure that the use is appropriate within the location requested. Approval of a SUP is determined by a number of factors including: location of the use, design, and configuration as well as other factors that would affect public safety, health, or welfare.
- CONAs are necessary when an existing nonconforming use or structure, which is a use or structure that existed prior to the adoption of the UDO (2000), is being modified or enlarged.

The BOA is a seven-member body appointed by the City Council for a term of three-years with an additional alternate member. Meetings of the BOA are open to the public and held the first Tuesday of the month at 6:00 p.m. at Kannapolis City Hall, located at 401 Laureate Way.

## Appendix B: Useful Contacts

Below is a list of entities that may be helpful during the development process.

<b>Cabarrus County Register of Deeds</b> <i>(Recording of Plats in Cabarrus County)</i> 65 Church Street South Concord, NC 28025 (704) 920-2112	<b>Rowan County Register of Deeds</b> <i>(Recording of Plats in Rowan County)</i> 402 North Main Street Salisbury, NC 28144 (704) 216-8626
<b>Cabarrus County Construction Standards</b> <i>(ALL Building Permits in Kannapolis, including Rowan County except those located in the ETJ)</i> 65 Church Street South Concord, NC 28025 (704) 920-2128	<b>Rowan County Construction Standards</b> <i>(Building permits for Rowan county parcels located in the ETJ and outside City limits)</i> 402 North Main Street Salisbury, NC 28144 704-216-8614
<b>NC Department of Environment &amp; Natural Resources</b> <i>(Grading Permits, Stormwater and Runoff)</i> 610 East Center Avenue #301 Mooresville, NC 28115 (704) 663-1699	<b>NCDOT – Division 9</b> <i>(NCDOT Access in Rowan County)</i> Brett Abernathy (336) 747-7800 <a href="mailto:jbabernathy@ncdot.gov">jbabernathy@ncdot.gov</a>
<b>NCDOT – Division 10</b> <i>(NCDOT Access in Cabarrus County)</i> Jeff Burleson (704) 983-4360 <a href="mailto:jaburleson@ncdot.gov">jaburleson@ncdot.gov</a>	<b>City of Kannapolis Engineering Department</b> 401 Laureate Way Kannapolis, NC 28081 Scott Kaufhold (704) 920-4222

Cabarrus-Rowan Metropolitan Planning Organization (CRMPO): [www.crmppo.org/](http://www.crmppo.org/)

Flood Risk Information System (FRIS): <https://fris.nc.gov/fris/>

North Carolina Department of Environmental Quality (NCDEQ): <https://deq.nc.gov/>

Water & Sewer Authority of Cabarrus County (WSACC): <https://www.wsacc.org/>

### **City of Kannapolis:**

Applications/Stormwater forms: [www.kannapolisnc.gov/Government-Departments/Planning/Applications-Permits-Documents](http://www.kannapolisnc.gov/Government-Departments/Planning/Applications-Permits-Documents)

Land Development Standards Manual:  
[https://www.kannapolisnc.gov/Portals/0/Departments/Planning/Documents/LDSM\\_w%20details%20for%20web%20page.pdf](https://www.kannapolisnc.gov/Portals/0/Departments/Planning/Documents/LDSM_w%20details%20for%20web%20page.pdf)

Unified Development Ordinance (UDO): [www.kannapolisnc.gov/Government-Departments/Planning/UDO](http://www.kannapolisnc.gov/Government-Departments/Planning/UDO)

Fee Schedule: [www.kannapolisnc.gov/Government-Departments/Planning/Documents/Fee](http://www.kannapolisnc.gov/Government-Departments/Planning/Documents/Fee)